

Chapter 9

SOLVING HEALTH AND SAFETY PROBLEMS

Notes

Objectives

After completing this chapter, participants will be able to:

- ▶ Identify their own workplace's options for solving health and safety problems
- ▶ Understand some of the ways to make H&S Committees effective
- ▶ Follow procedures for refusing unsafe work.

Introduction

There are always obstacles to making improvements in safety, just like there are obstacles to changing anything.

In this chapter you will discuss ways to make jobs safer where you work. Going through management's "chain of command," the union, and your health and safety committee are strategies presented.

Some work assignments could hurt you badly or even kill you. If you are faced with that kind of situation, you may have to consider refusing that assignment.

Overview

Notes

What went wrong?

If you ask, few people will say they're not interested in having safe working conditions and no one would say they want to see someone hurt or killed on the job. In spite of that, thousands of workers *are* killed on the job each year* and some estimate a hundred thousand more die of occupational illnesses.**

Somehow managers who would *say* positive things about safety become preoccupied with the amount of work that is done, containing costs, and other issues -- often legitimate and a bigger part of their job description than safety.

Sometimes workers aren't as concerned about safety as they should be. They might say, "I've been doing it that way for years and nothing has happened," even if the same old way is a risky way to work. Other workers may have tried to solve safety problems with no success and they've become bitter or apathetic.

In this chapter we'll explore ways to break the log-jam of inactivity, resistance, and apathy.

* U.S. Bureau of Labor Statistics

** U.S. Office of Technology Assessment

Discussion: What are YOUR safety procedures?

All places of work have different internal procedures for safety problems, but all have some form of procedures. The first step when trying to solve a safety concern is to bring the problem to the attention of people responsible for safety where you work. Let's answer the following questions in order to make sure everyone knows their procedures and all of the avenues for solving a safety problem.

- 1) Who is the first person you would contact with a safety concern on your job?

- 2) Are there others you would get involved in the early stages of solving this problem?

- 3) What would you do if the problem isn't addressed soon enough or fixed right?

- 4) What does the union contract say about health and safety?

Overview

Notes

So You Don't Have OSHA?

Not every State has OSHA for public employees or another agency that performs OSHA's function. That can leave you without access to technical resources and motivation (for some) to change. You still have some resources available:

- ▶ Your internal procedures (discussed earlier)
- ▶ Union, contract language
- ▶ Health and Safety committees.

Success Using Internal Procedures

Workers at a MN public hospital system were getting coughs and red eyes from using a floor stripper. They went to their safety officer, who contacted AFSCME. Together they did research and found that the product could also cause birth defects. The safety officer held meetings with H&S committees throughout the state. The safety officer also contacted the state's purchasing department, which stopped buying the product and ordered state warehouses to remove all the existing stock!

Health And Safety Contract Language

Notes

Introduction

Whether you are covered by OSHA or not, the union contract can be the source of the most power for workers to make improvements in health and safety conditions. It can accomplish this in two ways:

- 1) It may be more explicit than OSHA about the rights of workers with a safety concern
- 2) Those involved in settling complaints are the workers and managers from the area. That gives them:
 - First-hand expertise
 - Ability to settle issues quickly
 - Investment in the outcome.

General Contract Language

Union contract language should be broad enough so that every legitimate safety concern, including unforeseen hazards, could be addressed. A good model comes from OSHA:

The employer will ensure that jobs and workplaces are free from recognized hazards likely to cause serious harm to their employees.

OSHA's General Duty Clause (paraphrased)

Notes

At the very minimum, all contracts should include a version of this clause. In addition, procedures, such as moving health and safety grievances immediately to the third step, should be included.

Specific Contract Language

Hazard Specific Language

In addition to procedural issues to spell out, each workplace has its own hazards. Examples of specific contract language follows:

Hazard	Possible Language
Chemicals	Review chemicals for possible substitution of less toxic material
Machinery	"Red-tagging" (stopping) unsafe machines/investigating safety of machines before purchase
Computer work	Extra breaks/job rotation/ergonomically correct equipment
Staffing/security/ Safety	"Buddy" system in unsafe or remote areas/adequate lighting in parking lots/"panic" buttons
Highway work	Traffic safety plans/use of Concrete barriers

**Confined space
Entry**

Air monitors/permit system/
retrieval equipment/rescue

Training

Appropriate for different jobs

Right To Refuse Unsafe Work

OSHA gives workers the right to refuse work in "imminent danger" situations. Even if you have OSHA coverage, your contract should include language about this subject.

- ▶ The contract should give workers **the right to refuse a job** that they believe may hurt - or even kill - them.
- ▶ It should **spell out the procedures** to follow if there is a dispute of the safety of a job. This should reduce conflict between supervisors and workers. There should procedures for:
 - Reassignment to other work
 - Gathering information about the hazard
 - Reaching a final decision about the contested work.

Non-Discrimination

Workers are NOT to suffer retaliation for exercising their health and safety rights.

Protective Equipment

Employers should provide all of the necessary Personal Protective Equipment (PPE) to do a job. These should be appropriate for the job, in good condition, and provided at no cost to the employee. As covered earlier, PPE is the last step to protect workers. (See hierarchy of controls, in Health Effects)

Safety glasses
Gloves

Hearing protection
Aprons or coveralls

Respirators
Safety shoes

Examples of PPE

Health And Safety Committees

Notes

An Engine for Change

Effective Health and Safety Committees can be the leaders in tackling safety problems, not just reacting to incidents, but striving to *prevent* injury and illness. The strengths of a good committee include knowledge, commitment, and influence.

ESSENTIAL ELEMENTS OF YOUR COMMITTEE

Management commitment	Support the committee/give it the authority needed/financial commitment
Union endorsement	Contract can't be violated or superceded/committee and how it is run is bargaining issue/ union appoints non-management members
Access to information	Injury and illness records/ monitoring records/inspection and audit documents/workers' comp records
Authority to make decisions	Given power to make changes once they are agreed upon within the committee/inactivity leads to apathy
Education of committee	Health and safety standards/ specific hazards/job analysis/ inspection techniques

You're Ready, You're Set, Now Go!

Notes

So you have all of the elements that are needed in your facility or agency in place. Now you need to get people involved and get problems solved. Here are some of the ways that you can carry out the mission of your H&S Committee:

STRATEGIES FOR AN EFFECTIVE COMMITTEE

Representative	Members from all major areas, shifts
Engage Workers	Listen to issues raised/ solicit issues with survey, etc.
Responsive	<i>ALWAYS</i> acknowledge input even if to explain you can't follow their suggestion
Prioritize	Work on most important—often greatest hazard or most people affected/pick "do-able" projects
Action!	Break big projects into smaller, concrete steps/ assign tasks/follow up on progress
"Root Cause"	Analyze problems or incidents looking for underlying causes, such as bad design of job, equipment available
Repeat as Needed	Keep the cycle going: report your success, pick next priority, and tackle problem

If a joint Labor-Management committee is not in place, or is not as effective as desired, the local union can have its own committee. Union committees should follow most of the advice above, with special emphasis on involving workers.

Solving Safety Problems

Key Points **9**

1. The first people you should involve in a safety problem are ones from your workplace. These include:
 - Your supervisor
 - The union
 - The health and safety committee.
2. The union contract may spell out additional procedures and safety related rights. Find out what health and safety language is in your contract.
3. An active Health and Safety committee can be one of your best tools for reducing hazards in the workplace.
4. Refusing unsafe work is tricky. Always:
 - Communicate to your supervisor that your refusal is about safety
 - Accept the work conditionally (I will do the job when it's safe)
 - Ask for another job--don't go home
 - Call for help: the union steward or others.
5. Workers shouldn't have to choose between having their health or a paycheck!